
Why Prohibition Tactics do not Work? A Critical Evaluation of Historic Experience of the United States in Fighting Alcohol and Drugs

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ABSTRACT

The article presents a critical evaluation of historic experience of the United States in the sphere of fighting alcohol and drugs consumption. The author runs a thorough comparative analysis of two most vivid cases of prohibition-based policies in the history of the United States of America: 'Prohibition' of 1920 and the 'War on Drugs'. Both examples evidently demonstrate common traits in their practical implementation, which are mostly tied with the degree of their inefficiency and a number of negative side-effects for the American society. The author argues that implementation of the prohibition-based approach inevitably leads to the increase in the role of police and other related institutions, leading to their militarization and drastically increasing budget spending. Moreover, both cases have not achieved the goals and targets that had been put before them – quite on the contrary, 'Prohibition' and the 'War on drugs' failed to end the growing consumption of alcohol and drugs, while creating a much less safe environment for the people who were to consume these substances. On top of that in both cases 'zero-tolerance' approach only led to the rise of organized crime groups which de-facto received a monopoly on distribution.

Keywords: *the USA, prohibition, War on drugs, prohibition policies, coercive methods, state policy.*

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INTRODUCTION

For many years humanity has struggled with the desire of certain individuals to use narcotic or simply addictive substances. With the acceleration of technological and scientific progress, people have mastered ways to synthesize previously unknown narcotic substances with a range of qualitative characteristics that modulate nature and duration of the resulting effects, many of which prove dangerous not just in the long and medium term, but capable of taking the lives of their users and in extremely short periods of time.

Mind-altering substances attract people's interest for obvious reasons – our species is inherently curious, which is considered an essential part of intelligent beings' nature. Therefore, it is quite natural that a certain percentage of population that has had an experience with such substances, evaluates it as positive and plans to repeat it. It is also not surprising that some of the non-systemic drug users turn out to be predisposed to the formation of psychological addiction, followed by the formation of a stable physical addiction and a qualitative transformation of its existing psychological component (Takahashi *et al.* 2021).

However, it is clear that it is absolutely necessary to combat the drug problem, even if in part its existence can be justified by a combination of natural causes. This becomes all the more obvious when we specifically outline all the negative consequences of the drug consumption and illicit drug trade that appears around any demand on narcotics. Of course, the most intuitively apparent problem is the decline in the human potential of drug addicts – it gets lost despite any state investment in the education and health care of that individual. In addition, in the case of severe addiction, narcotic substances can lead to the death of the user, which is problematic in itself. However, it would be incorrect to claim that this is the most significant challenge posed by drug trafficking. In addition to direct damage done to the health of immediate consumers, drug trafficking creates a whole lot of social problems around it. On the one hand, sooner or later the drug addicts resort to criminal activity to ensure their own habit; and on the other hand, huge financial flow created by high demand for illegal drugs supports a whole black market with revenues that exceed annual budgets of some countries, which without a doubt harms both separate states and the entire world in general. And the damage of drug trafficking is also multilayered: the shadow drug economy directly harms national economies, increases criminal activity, contributes to the rise in violent crime and death, and promotes severe social problems in

society (Eremin 2020). Thus, there is no chance for international community to ignore the drug problem at the present stage.

However, it is important to understand that in the present paper we are not talking about trying to wipe out all the drugs from existence and drastically diminish their availability on the black market, even though this in many cases seems to be the very priority of law enforcement structures responsible for countering illicit drug trade. In other words, it is not just supply we need to fight with, working with demand is crucial as well. After all, the drug-related infrastructure is generated specifically by high demand, and it is precisely the criminal infrastructure that carries most of the devastating and harmful consequences of drug trade from the point of view of the state. This is why modern science divides the problem of drug trafficking into two inter-related components: supply and demand (Bagley and Rosen 2015), thus outlining the two obligatory courses of action for a balanced strategy. However, the need to find balance between these two directions to effectively counter the drug threat has not always been well-understood by policymakers, even today some conceptual bias still remains among the politicians (Eremin and Petrovich-Belkin 2019: 31–47; 2020: 276–287).

Historically, the most attractive in terms of its intuitive simplicity has been the basic policy of prohibition, whose logic can be reduced to the simple statement: ‘if you prohibit the visible root cause of the problem, it will lead to the resolution of the abovementioned problem’. The policy of prohibition has been reflected in many public policies when it comes to the new and not fully understood challenges that have been presented to the leaders of various countries in their history. Moreover, prohibition as a tool of domestic policy has been the basis of many coercive approaches to combat alcohol, and later drugs in the United States. And in the circumstances of the Cold War and its ideological struggle, Washington actively replicated its own experience to its allies in the capitalist bloc, spreading the prohibition policies even further. Thus, the so-called ‘Zero Tolerance’ policy emerged, which is the height of prohibition, implying total and implacable prohibition with an obligatory emphasis on brutal law enforcement pressure (Eremin 2020).

The appeal of prohibition to politicians and the political leadership of various countries can be explained quite easily. On the one hand, prohibition as a political mechanism is a fairly basic concept that has been known since before the emergence of modern states – in many cases such a response to an unknown challenge or security

threat is instinctive. Its main political advantage is its seeming simplicity and ultimacy which from the point of view of its proponents promises effectiveness. Moreover, the politics of prohibition is a much simpler political concept in terms of its presentation to the masses – in many cases a disaffected electorate is more prone to direct, radical and often quite violent measures than to complex and consistent strategies relying on non-obvious theories and concepts (Okuneva 2020: 392–394). This, in fact, is a major factor in the popularity of right-wing populists, many of whom form their own agenda based on basic logics of prohibition (Eremin 2021: 108–118). On the other hand, prohibition can also have a number of concealed domestic and foreign policy goals – the USA, for instance, have actively used the ‘War on Drugs’ to promote its values among other actors in international relations and to intervene in the internal affairs of sovereign states (Eremin and Petrovich-Belkin 2020: 276–287).

In the history of the United States there have been two long periods of prohibitionist public policy that demonstrate main conceptual problems of such approaches: ‘Prohibition’, which lasted from 1920 to 1933; and the ‘War on Drugs’, which Richard Nixon declared in 1971 and which the US government continued to utilize for another four decades. The main thesis of the paper, for the proof of which an in-depth analysis of the above historical experience of the United States is used, is that any public policy based on the prevalence of prohibitionist and coercive tactics cannot be an effective tool for solving complex problems with serious social root causes. Of course, this refers primarily to the problem of drug trafficking or the level of alcohol consumption in society, but it is by no means limited to them. In fact, we are talking about any challenge that may arise before the state. Moreover, any argument of the proponents of such policies based on the assumption that the existing examples of the failures of prohibition tactics are explained primarily by some flaws in implementation (usually, a lack of coercive component) are seen by the author as inherently and inevitably biased. There is no country in the world which can say with confidence (and solid proof) that it has overcome the drug problem only through brutality and inevitable punishment, and any attempts to claim otherwise is nothing more than just propaganda.

PROHIBITION (1920–1933)

One of the first systematic attempts to fight an undesirable substance to the US government was the Prohibition Act. Adopted in 1920, the 18th Amendment to the US Constitution led to a complete ban not only

on production, but also on any sale and distribution of alcoholic beverages throughout the country. According to the proponents of Prohibition, strict ban on alcohol was supposed to reduce the level of crime and corruption and decrease the tax burden on the population by reducing the need to fund prisons. In addition, alcohol was seen as the root of such problems as an increase in the number of divorces, a decrease of the family values importance in society, and a rise in the number of health problems among Americans (Miron and Zwiebel 1991). In this regard it is important to mention the role of the religious lobby, first of all the so-called 'Anti-Saloon League' represented by public organizations and associations of Protestants. The activity of these organizations was carried out in the framework of the so-called Temperance movement, a religious-philosophical concept which was very popular in the USA since the 1890s and until the 1930s, although some organizations with such ideology go back to 1826. This movement was based on the assumption that abstinence is the main virtue that can 'heal' American society, which from the point of view of ultraconservative religious associations was clearly drowning in sin. Alcohol was perceived as a source of all the evils that made respectable men and women commit sinful acts and abandon the life of a respectable Christian. The Anti-Saloon League began its first systematic attempts to push the issue of alcohol prohibition in 1913, largely with the help of an extremely charismatic and powerful politician Wayne Wheeler, who was known for his persistence in dealing with lawmakers and his ability to mobilize his own electorate and associates in a very short time. It was with his direct involvement that the eighteenth Amendment to the Constitution was successfully passed (Thornton 1991).

However, in spite of such noble aspirations, any positive effect of the alcohol prohibition turned out to be extremely short-term: the level of consumption did fall at the beginning of the 18th Amendment, but two years later it reached 70 per cent of the pre-Prohibition level (Thornton 1991). It is important to note, however, that the calculation of actual statistics on consumption during Prohibition is not entirely precise, since it was impossible to obtain relevant statistics due to the illegality of alcohol sales, so the estimates made by economists Irwin Fisher (Fisher 1927) and Clark Warburton (Warburton 1932) are based on indirect indicators, which at the most basic level have some arguable assumptions. At the same time, official statistics in the years preceding the passage of the 18th Amendment showed a clear downward trend until the 1920s (Miron and Zwiebel 1991). It is equally important to note that the steady tightening of control over the imple-

mentation of Prohibition, while contributing to a formal reduction in the amount of alcohol consumed, also led to a change in its structure: weak alcohol beverages disappeared in favor of stronger alcoholic substances, many of which the consumer would not have chosen under normal market conditions, including various kinds of moonshine, sometimes of very poor quality (Lee 1963).

In addition, this 30-percent difference was generously compensated by the increased negative consequences of consumption of low-quality alcohol. Since any production of alcohol was already illegal, there was no control of quality and safety of the product, which led to mass poisonings, permanent health damage and even deaths. For example, in 1925, the government registered 4,154 deaths from alcohol poisoning, four times the number registered in 1920 (Thomas 1975). Many alcohol users also switched to other substances such as cocaine and heroin, since all of these substances are illicit anyway. Corruption and increased crime were also worth mentioning, as the steady demand for already illegal alcohol provided ideal conditions for the development of criminal groups, which became increasingly difficult for law enforcement agencies to deal with (Thornton 1991). In the decade before Prohibition, the US homicide rate was only 8.4 per 100,000 population, but within a year of the Volstead Act (Volstead Act 1920), designed to strengthen the 18th Amendment, the rate had risen up to 10. The total number of crimes is estimated to have risen by 24 per cent between 1920 and 1921 alone (Woodiwiss 1988). At the same time, another indicator that Prohibitionists expected to decrease, the number of inmates in federal penitentiaries, increased substantially during the implementation of the 18th Amendment. In 1914, for example, the federal prison population was 4,000, but by the end of 1932 it had risen by an impressive 531 per cent to 26,589 (Thornton 1991). Rather than freeing the prisons from prisoners and relieving the tax burden on citizens, Prohibition seriously contributed to a significant increase in arrests and convictions, which overwhelmed the American prison system and forced it to adapt to the new realities.

Another feature that demonstrates the ineffectiveness of Prohibition is the increase in spending on implementation and maintenance alcohol ban by law enforcement agencies. Federal expenditures on the Bureau of Prohibition by the US Department of Justice increased from \$4.4 million to \$13.4 million during the period of Prohibition. At the same time such an increase in budget for the state agency did not result in any reduction in illegal alcohol production and distribution (Bureau of Prohibition 1930: 2). Under the pressure of all these factors

and extensive public criticism, Prohibition was repealed in 1933. As of now, the experience of introducing the 18th Amendment to the US Constitution is mostly viewed by politicians and scholars alike as predominantly negative. The repeal of Prohibition led to a serious reduction in corruption and crime, created new jobs, attracted a huge inflow of money into the federal budget, and helped create such social associations as Alcoholics Anonymous. Needless to say, lifting the ban allowed the United States to set up an effective system of control both on the production and distribution of alcohol in the future. As Carroll Woody pointed out, the only real beneficiary of the prohibitionist policy from 1920 to 1932, besides the criminal organizations, was the US federal government, which managed not only to provoke the qualitative and quantitative growth of the state apparatus and the structures under its control, but also to significantly increase the cost of their operation (Woody 1934: 577).

THE WAR ON DRUGS

Before going deeper into the experience of the ‘War on Drugs,’ it should be noted that the American political establishment did not immediately come up with such a radical idea to address the drug problem in the American society. From the very beginning of the twentieth century the USA has been moving steadily toward a unified regulatory framework that would allow a systematic fight against drug trafficking at the federal level, avoiding jurisdictional differences between the separate States. In this case, the development of the anti-drug legislature was usually done by criminalization of new types substances and raising the responsibility for the ones already deemed illicit. Of course, there were opponents to this approach long before the ‘War on Drugs’ was proclaimed as well as just before it. Such opinions were especially strong after the deep social and political changes of the 1960s; there were many scientific and public figures who disagreed with further criminalization of drugs. Although there was a clear prohibitionist trend in the US anti-drug policy before the 1970s, the effectiveness of such measures was low due to the explosive growth of drug use in the American society from the 1960s up to 1971, especially cocaine and MDMA (Eremin and Petrovich-Belkin 2019: 31–47). However, this negative experience did not contribute to a conceptual rethinking of the direction of US anti-drug policy, but only served as an additional reason for its intensification.

In 1971, in his State of the Union speech Richard Nixon first acknowledged the national scale of the problem of drugs. Formally, the

final straw that led to the tightening of drug prohibition policy was the highest percentage of heavy drug addicts among soldiers demobilized after the Vietnam War, which was superimposed on the dire political consequences of the US military failures in Southeast Asia. Although the phrase ‘War on Drugs’ was not used in the speech itself, the concept was given this name because the logic of counter-narcotics was now being proposed to shift from the traditional law enforcement *modus operandi* to a military approach unencumbered by the primacy of civil rights and freedoms. The Nixon administration’s main goal, at least publicly, was to fight drugs by all means and to reduce the rate of growth of drug use in the USA (Nixon 1971). In reality, however, it was neither possible to achieve any serious reduction in drug use in the American society during the Nixon presidency, nor under subsequent presidential administrations that embraced the values of the ‘War on Drugs’. It is noteworthy that the increase in substance use continued to grow steadily even after the numerous strict legislative measures that followed afterwards (Eremin and Petrovich-Belkin 2019: 31–47).

It is important to note that one of the key features of the implementation of the ‘War on Drugs’ was that in addition to the declared fight against drug trafficking at all stages of its implementation, the US government pursued certain concealed goals. Under Richard Nixon, the nature of such goals had a predominantly domestic political orientation – this can be explained by weakened position of the president’s administration, which had to cope with significant public criticism against the failed war in Vietnam as well as the intense growth of the civil rights movement. The specifics of how exactly the ‘War on Drugs’ was supposed to enhance President Nixon’s political renown were revealed by one of his advisors, John Ehrlichman, in an interview with Dan Baum in 1994:

The Nixon campaign in 1968, and the Nixon White House after that, had two enemies: the antiwar left and black people. You understand what I’m saying? We knew we couldn’t make it illegal to be either against the war or black, but by getting the public to associate the hippies with marijuana and blacks with heroin, and then criminalizing both heavily, we could disrupt those communities. We could arrest their leaders, raid their homes, break up their meetings, and vilify them night after night on the evening news. Did we know we were lying about the drugs? Of course, we did (Baum 2016).

The fact that the US government viewed the growing social contradictions and the most socially active organizations and citizens as a direct threat to the nation is not at all surprising. Moreover, such a hostile approach to any kind of political nonconformity can be explained by the logic of the Cold War, where the state's top priority was the bipolar confrontation with the Soviet Union. Domestic political instability was clearly perceived as a potential threat to the very ability of the United States to actively oppose the USSR in the international arena. At the same time, the outdated anti-Soviet rhetoric, by which the population was actively intimidated with 'red menace', no longer had the same effect that could be observed back in the 1950s. In this regard, the 'War on Drugs' served two main purposes: to discredit the main politically hostile forces to Richard Nixon through close association with drug trafficking; and to form a new typical threat to intimidate the electorate, which would help to explain and motivate a number of controversial domestic and foreign policy decisions (Eremin and Petrovich-Belkin 2019: 31–47).

The 'War on Drugs' at its initial stage implied unequivocal racial overtones, since the most active participants in the civil rights movement were black activists who demanded equality and the abolition of segregation. This fact contributed to certain racist tendencies in which ethno-racial minorities in the United States received harsher treatment by law enforcement and much longer sentences when they were convicted. This has led to years of prejudice against African-American and Hispanic population by the US police force and other specialized law enforcement agencies, resulting in high levels of violence directed at members of these ethnic groups. All of this has contributed to the idea in the mindset of the American public that the 'War on Drugs' is primarily a war on national and racial minorities (ACLU 2013; Coyne and Hall-Blanco 2016: 165–170; Bobo and Thompson 2006: 445–472). It might even seem somewhat reasonable to assume that ethnic minorities are the main source of the drug threat and that therefore it would be logical for law enforcement agencies to focus on people of Hispanic and African descent. In reality, however, such an assertion does not adequately reflect reality: minority populations, whatever they may be, have no historical, cultural or other predetermined predisposition to participate in the drug trade, and thus a focus on people of color would be quite unreasonable. However, it is not just about systemic racism in the US law enforcement system and the well-known problem of police violence that gave birth to the modern Black Lives Matter (BLM) movement, but also about the fact that there are

entire neighborhoods formed by residents of mostly one ethno-racial background. Such places, usually characterized by rampant poverty and the highest crime rate, are commonly called 'drug ghettos'. But such neighborhoods are nothing more than the result of the long-term implementation of the 'War on Drugs' approach, as well as Washington's short-sighted social policies toward its own ethnic minorities. It is no secret that systematic racism has plagued the United States throughout its history, permeating all levels of administrative mechanisms and political institutions over the years. Can it be a surprise that it was in the so-called ghettos that drug crime came along? After all, these communities have consistently lacked the attention, assistance, finance and even the most basic services of the state, including law enforcement and the mundane presence of police forces. Another factor that ensured the popularity of drug trade as a mechanism of ensuring financial stability is the lack of social lift in these communities. It is the lack of education, healthcare, employment prejudice based on race and other types of discrimination (including one of the law enforcement agencies) that pushed young people of African and Hispanic origin in the USA to consider joining an organized crime group, which grants you some kind of social status and financial stability without the need to invest any additional effort (Bagley and Rosen 2015). In this regard, it is important to note that drug crime is in no way dependent on race and nationality, so any such policy orientation is at best misguided, and at worst harmful, as it turned out to be in the case of the 'War on Drugs' concept.

It is important to note that Richard Nixon's departure from politics during the Watergate Hotel scandal did not lead to the disappearance of the concept from the arsenal of the US political leadership. A qualitatively new stage in the development of the 'War on Drugs' would occur several years later under Ronald Reagan, who made the anti-drug rhetoric an integral part of both his election campaign and subsequent policies. Unlike Nixon, who was more concerned about the situation inside the country and the stability of his own administration, Reagan used the 'War on Drugs' for foreign policy purposes as well. On the one hand, the 1980s were marked by an unprecedented increase in the use of narcotic substances, later called the 'cocaine epidemic' (Kozel and Adams 1991), and on the other hand, the end of international détente greatly exacerbated the confrontation with the USSR. All this created fertile ground for using the growing public concern about drugs and drug-related crime in the United States to achieve foreign policy goals of limiting socialist influence in the Hem-

isphere and beyond. It is no coincidence that it was during the presidency of Ronald Reagan (1981–1989) that two problems occupied a special place in the foreign-policy agenda: Nicaragua and the rise to power of Sandinistas (1979–1990) and also Afghanistan and the Soviet contingent in its territory (1979–1989). In fact, both of these events were catalysts not only for a new wave of bipolar confrontation between the superpowers, but also Washington's search for new mechanisms and tools to ensure its influence on the international arena, one of which turned out to be a somewhat revised version of the 'War on Drugs' concept.

Domestically the new phase was marked by an increase in penalties for drug-related crimes and the abolition of the fundamental difference between light drugs (such as marijuana) and hard drugs (such as heroin) from the legal point of view. This also includes Nancy Reagan's 'Just Say No' advertising campaign, which became a classic media embodiment of the 'Zero tolerance' principle towards drug use. The Drug Abuse Resistance Education (D.A.R.E.) program was a continuation of the work with the demand among young people, the essence of which was reduced to visits to educational institutions by law enforcement officers for preventive conversations about the dangers of drugs. Despite an impressive budget, the initiative did not yield serious results and, according to some reports, even harmed the fight against youth demand (Gandhi *et al.* 2007: 43–74; Kumar *et al.* 2013: 581–592; Backer 2000: 363–373).

From a foreign policy perspective, the most promising example of the concept's use was the confrontation between the Sandinistas and the Contras in Nicaragua. The North American authorities actively accused Nicaraguan officials of state-level cooperation with drug cartels and providing transit corridors for the drug flow to the United States. The truth turned out to be far more odious and illustrated the secondary nature of the US anti-drug agenda: in reality, drug trafficking was carried out by the Contras, a criminal insurgency group that received funding from the United States, even bypassing an outright ban by the US Senate. The Iran-Contras scandal hit Ronald Reagan's credibility hard, but the principles of the 'War on Drugs' continued to be implemented, leading to the export of its values through Plan Colombia to Bogota, and then to Mexico through the 'Merida Initiative' (Manukhin 2020: 6–25). It is important to note, however, that both Colombia and Mexico suffered significantly from the imposed law enforcement model imposed by these programs and their funding (Eremin 2020).

It is noteworthy that there is no official end to the implementation of the 'War on Drugs' concept. Theoretically, the last year of the long implementation period can be considered 2012, when recreational use of marijuana in Colorado was first legalized. This was first such case in the United States of America and no doubt the decision to legalize recreational use is the direct opposite of the prohibition policy and the 'zero tolerance' approach. However, Donald Trump, who came to power in 2017, pursued a similar anti-drug policy to this concept, in connection with which we can assume that the value bases of the 'War on Drugs' will somehow keep appearing in the North American political agenda in the future (Fine Maron 2020).

During the long process of implementing the 'War on Drugs', which was based on prohibitionist policies with a heavy-handed approach, the United States has achieved neither its original goals, nor those that have been formulated since: not only has it failed to prevent an increase in drug use, but it has also failed to reduce the supply of illegal substances to the US territory (Eremin and Petrovich-Belkin 2019: 31–47). Another failure of the 'War on Drugs' has been the increase of drug related deaths, from 1 per 100,000 in 1971, to 3.4 in 2008 (CDC 2008: 1980–2008). About 47,000 drug overdose deaths occurred in the United States between 2008 and 2014, which stand for a record 14.7 deaths per 100,000 people (CDC 2016). Another rather unfortunate result is that for all the commitment and intransigence in the fight against illegal drug-trafficking from abroad, the US authorities have completely missed the galloping growth of legal medical opiates, which has led to a full-blown opioid epidemic (Felter 2020). Of course, in the more recent stages of the War on Drugs, the law enforcement agencies have stepped up their efforts in this area as well, but it seems a little too late. All this demonstrates the inability of the system in question to quickly identify and respond to changes in the illicit drug trade.

In this case, the law enforcement structures, unencumbered by control based on objective scientific knowledge, had a unique opportunity to set their own criteria of effectiveness, which were almost completely unrepresentative. For example, the number of seizures of certain drugs, or the number of arrests for drug-related offenses – neither of these are actually able to show us how effective a policy is, because they are not directly related to indicators of real supply and demand (Wainwright 2017). In addition, the immediate results of this policy include: 1) an increase in the intensity of confrontation between law enforcement and ethno-racial minorities and an intensification of the problem of police brutality; 2) an increase in the number of arrests

and prison sentences even for relatively minor drug offenses, which did not lead to the rehabilitation of prisoners but rather to their deeper integration into the criminal world; and 3) the appearance of new trends of drug use, to which law enforcement in this configuration simply could not respond in any way. So the essence of the 'War on Drugs' failure in the fight against illicit drugs is based on two main factors. First, it was predetermined by existence of concealed political targets that had more priority over the formal aims of the anti-drug activity. Second, numerous mistakes were made both during the stage of conceptualization of the 'War on Drugs' and during its practical implementation and relevant decision-making process. To this we can add a complete lack of flexibility and desire to adapt to raise effectiveness – no values of the concept were ever officially revised and acknowledged as wrongful, and the foundations of the 'War on Drugs' kept reproducing and expanding themselves in the US political agenda despite heavy criticism from scientific and expert community.

This raises a legitimate question: Did the 'War on Drugs' have any positive aspects? On the one hand, over the years there has been a significant amount of statistics on the total number of arrests and seizures of drugs, but these numbers are largely irrelevant to the drug problem in the United States, the only benefit of these calculations was to increase funding for institutions and law enforcement. The government sponsored youth awareness programs (like the D.A.R.E.) but have failed to do much to discourage demand, despite the millions of dollars they have spent. Such things intuitively seem positive, but, as in many other aspects, the fight against the drug threat turns out to be counter-intuitive because it must be based not on abstract intuition and subjective opinion, but on objective scientific knowledge. Thus, the contemporary researches mostly conclude that in the long run there are no positive outcomes of the 'War on Drugs': even what could have been considered to be good in the short run soon turned out to be either completely irrelevant or only worsen the situation over time.

The above discussed brings us to the conclusion that the 'War on Drugs' has been ineffective and trivial in its ability to contribute to a constructive solution to the drug problem in the USA. According to Arlene Tickner, the world's leading expert in the field, the key problem with this approach is that it is overly securitized. In fact, much more significant results in the fight against drugs are achieved by countries that change the outdated policy of total prohibition and coercive control to a public health approach. If we look at drugs in society as a healthcare issue and as a medical and social science issue, the

very possibility of its over-politicization and prioritization of any concealed interests is excluded (Masmela and Tickner 2017: 295–318).

CONCLUSION

From all the above said, it can be concluded that, as in the case of the 1920 ‘Prohibition Act’ and the ‘War on Drugs’ concept, the practice of total prohibition with the prevalence of coercive tactics proved not only ineffective, but also harmful. In contrast, in rejecting prohibition, the USA has managed to take control of the problem through strong state institutions and market mechanisms, ranking only 45th in alcohol consumption in 2020 (WHO 2018), and its long-standing commitment to a ‘zero tolerance’ approach to drugs has made the USA one of the world’s biggest markets for drugs as of today (UNODC 2018). In the case of the 18th Amendment its abolition in 1933 led to a partial neutralization of the negative results obtained during its implementation. However, the ‘War on Drugs’ has never been officially abolished and some its parts keep reappearing even now. The only measure that is really capable of balancing the US federal government’s approach to drugs is the process of supervised legalization of light drugs, which has been observed in the USA for a number of years. From decriminalization and legalization of medical use of marijuana, this movement has led to the fact that this substance is legalized for recreational use in a significant number of States. Many experts point out that despite having a monopoly on most hard drugs, criminal organizations in the Western Hemisphere have still suffered huge financial losses due to the legalization of marijuana (Eremin and Petrovich-Belkin 2019: 31–47), while allowing the state to create a new multi-billion dollar industry with jobs and a more controlled environment for non-systemic drug users. In addition, financial investment in the industry makes marijuana-based soft drugs more effective, of higher quality and also safer, significantly reducing the scope for ‘dark alley’ drug dealers. An important provision should be made here: the practice of legalizing light drugs is a relatively new phenomenon that requires comprehensive scientific study in the long run. While the overwhelming consensus of experts and scholars working on this issue is that, for now, there are no obvious negative consequences in the short term; in the long term, however, there may be additional factors to consider. In addition, we are talking about a legalization process in institutionally strong countries, which are able to ensure a high degree of enforcement of the legislation, regulations for the production and sale. If

such a solution is implemented in a country with weak state institutions, then the results may differ significantly for the worse.

Christopher Coyne and Abigail Hall demonstrated an interesting perspective on the economic inexpediency of prohibition policies in a 2017 CATO Institute report. According to their study, any coercive pressure on a supplier does not make illegal goods disappear. On the contrary, tougher measures lead to higher prices for such illegal goods, which significantly contributes to the financial development of illegal suppliers and transporters; on the consumer side, on the contrary, there is a decrease in the quality requirements of the substance. This leads to the paradoxical phenomenon in which smugglers and traffickers get more money for less product, while at the same time, due to the poor quality of the drugs and the higher price, violence, poisonings and overdoses increase (Hall and Coyne 2017: 485–504). Thus, the negative side-effects of prohibitionist policies have the opposite effect from their postulated goals. Among other negative consequences of prohibition we should mention the fact that complete ban of light and heavy drugs without significant differentiation between them leads to the fact that for the end user the psychological boundary between light and heavy drugs is erased, motivating to make this transition, since both are equally illegal and bear the same responsibility. So why risk for less? The transition to hard drug itself leads to an increase in diseases associated with their use (including AIDS/HIV). (Drug Policy Facts 2016). At the same time, a similar phenomenon could be observed during Prohibition at the beginning of the twentieth century in the United States, the illegal status of alcohol provoked a significant increase in the use of drugs, often much more severe and addictive (Coyne and Hall 2017). From the perspective of organized crime, prohibitionist policies are ideal for limiting the number of potential competitors in the illegal market: only those criminal structures that willingly use violence remain in business, while other less aggressive groups are weeded out in confrontations either with other gangs or with law enforcement. And the more forceful pressure is put on criminal groups, the more combative and aggressive they become – a good example of this is the disastrous consequences of the Merida Initiative in Mexico (Bagley and Rosen 2015; Manukhin 2020: 6–25; Wainwright 2017). In the case of the strictly regulated partial legalization of light drugs, the cartels are in a much more precarious position: legal competition easily beats the shadow alternative in both price and quality, creating a large psychological threshold for the user to switch to hard drugs, as well as making unsystematic drug use safer for the

individual (Becker and Murphy 2013). Another extremely negative effect of the domination of prohibitionist policies in the political toolkit of the state is the militarization of law enforcement, a trend that still generates social tension both in the United States itself and in the Latin American states where Washington has carefully exported the values of the ‘War on Drugs’ (Hall and Coyne 2017: 485–504; Manukhin 2020: 6–25). This once again raises a reasonable question: ‘Given the negative experience of Prohibitionist policies during the 1920s, why did the political leadership repeat this mistake in 1971, when declaring a War on Drugs?’ Moreover, if ineffectiveness was already evident in the early stages of implementation, why were no conceptual changes introduced? As Coyne and Hall noted in their paper, already at the initial stage this concept did not reflect the country’s real priorities, which in the future would not change, but only worsen. Moreover, in the course of the ‘War on Drugs’, the government successfully expanded its own powers and increased spending on law enforcement, which led directly to the formation of a certain lobby of beneficiaries. These beneficiaries include not only those who received money directly and built a career using anti-drug rhetoric (law enforcement officials and politicians), but also those who benefited indirectly (through increased production of equipment, weapons and other goods and services necessary to combat drug trafficking by force) (Hall and Coyne 2017: 485–504). The United States can learn from a number of other countries, the closest of which is its neighbor, Canada, on how to view the drug problem from a public health perspective. This approach has been practiced there for quite some time, and the Canadians have shown much more impressive results when it comes to dealing with the drug threat.

All things considered, it is possible to draw some general conclusions about how a public policy against drugs should not be conducted. However, the question of ‘How then?’ remains somewhat unanswered. The main lesson of the nearly half a century long US experiment called the ‘War on Drugs’ is that addressing the global drug threat does not need any war: instead of deploying heavily-armed operatives that are more akin to the army men, a balanced and integrative approach is far more necessary, in which drugs are seen not as a stigma but as an affliction. Of course, this does not mean abandoning the police and their role in the process, but police structures must complement the concept in a balanced way, not replace it completely, as has been done in the United States. Otherwise, the state risks focus-

ing exclusively on the symptoms of the ‘disease’ instead of addressing the root causes, which excludes any possibilities for success.

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